

## **Remarks**

**Examiner Item 4.** Claims 2, 5, 8, 55, 78, 88 and 98 were objected to for informalities.

Claims 2, 5, 8, 55, 78, 88 and 98 have been amended to correct the informalities.

Applicant's representative thanks the Examiner for identifying the errors and the fixes.

**Examiner Item 5, 6 & 7.** The Examiner notes "a computer-readable medium" in claims 37, 71, and 98 is interpreted as a medium that excludes a paper and transmission type media, such as a signal. The Examiner rejects claims 64, 88 and their dependent claims under 35USC101 as directed to non-statutory subject matter.

Claims 64 and 88 are amended to specify instruction blocks "stored on a non transitory computer readable medium". Since the claims now call for instruction blocks stored on a non transitory computer readable medium, Applicant contends the claim falls within a category of statutory subject matter. Support for these amendments may be found at least in paragraph 61 of the specification.

**Examiner Item 9.** Claims 1-3, 5-6, 8, 10, 17-18, 19, 20-21, 23-24, 26, 28, 35-39, 41-42, 44, 46, 53-57, 59-60, 62-66, 68-69, 71-73, 75-76, 78-79, 81, 88-89, 91, 98-99, and 101 are rejected under 35 U.S.C. 103(a) as being unpatentable over Corson et al. ("Internet-Based Mobile Ad Hoc Networking", IEEE Internet Computing, July-August 1999, pages 63-70) in view of Novaes (US Patent No. 6,732,189 B1), and further in view of Elliott et al. (US Patent No. 6,335,927 B1).

Independent claims 1, 19, 37, 55, 64, 71, 78, 88 and 98 have been amended per the Examiner's recommendation in item 3, last paragraph. Applicant respectfully asserts the amended claims are in condition for allowance not least because each independent claim requires "broadcasting a message from each CCA-capable node to the plurality of nodes every T1 seconds; and

selecting a gateway CCA based upon the message from each CCA-capable node; and wherein the act of selecting further comprises acts of:

determining a current time at which the message was received;

retrieving a gateway time TLAST at which a message from the gateway CCA was received; and

selecting and assigning a new gateway CCA ~~based upon a result of a formula for comparing the current time and the gateway time~~ from the responding CCA-capable nodes such that  $TLAST < (current\ time - 2(T1))$  is true, herein referred to as Responding CCA-capable nodes” per claim 1 or its equivalent, and such limitations are not found in the cited references alone or in combination.

Applicant respectfully requests allowance of all claims.

Claims 2, 3, 5-6, 8, 10, 17 and 18 are allowable in that parent independent claim 1 is allowable.

Claim 19, Applicant traverses the Examiner’s rejection of claim 19 at least for the same reasons given in Applicant’s traverse of claim 1’s rejection.

Claims 20, 21, 23, 24, 26, 28, 35, 36 are allowable at least in so far as claim 19 is allowable.

Claims 38, 39, 41-42, 44, 46, 51-54 are allowable at least in so far as claim 37 is allowable.

Claims 56, 59, 60, 62 and 63 are allowable at least in so far as claim 55 is allowable.

Claims 65, 66, 68, 69, 71, 72, 75, 76, 78, 79, 81, 88, 89, 91, 98, 101 are allowable at least in so far as claim 64 is allowable.

Claims 72, 73, 75 are allowable at least in so far as claim 71 is allowable.

Claims 79, 81, 86, 87 are allowable at least in so far as claim 78 is allowable.

Claims 89, 91, 96, 97 are allowable at least in so far as claim 88 is allowable.

Claims 99, 101, 106, 107 are allowable at least in so far as claim 98 is allowable.

**Examiner Item 10.** Claims 13, 31, 49, 84, 94, and 104 are rejected under 35 U.S.C. 103(a) as being unpatentable over Corson et al. ("Internet-Based Mobile Ad Hoc Networking", IEEE Internet Computing, July-August 1999, pages 63-70) in view of Novaes (US Patent No. 6,732,189 B1) and Elliott et al. (US Patent No. 6,335,927 B1), and further in view of Chari et al. (US Application No. 200210107023 A1).

Claims 13, 31, 49, 84, 94 and 104 have been cancelled.

**Examiner item 11.** Claims 15-16, 33-34, 51-52, 86-87, 96-97, and 106-107 are rejected under 35U.S.C. 103(a) as being unpatentable over Corson et al. ("Internet-Based Mobile Ad Hoc Networking", IEEE Internet Computing, July-August 1999, pages 63-70) in view of Novaes (US Patent No. 6,732,189 B1) and Elliott et al. (US Patent No. 6,335,927 B1), and further in view of Kursawe et al. (US Application No. 200110025351 A1) and Lisiecki et al. (US Application 200210143888 A1).

Claims 15-16, 33-34, 51-52, 86-87, 96-97 and 106-107 are allowable in as much as their respective parent independent claims are allowable at least for the same reasons as for independent claim 1.

### **Conclusion**

In view of the above, reconsideration and allowance of all the claims are respectfully solicited.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 50-3984. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 50-3984.

Respectfully submitted,

/George R. Rapacki/

George R. Rapacki  
Attorney for Applicants  
Reg. No. 60770  
HRL Laboratories, LLC  
3011 Malibu Canyon Road  
Malibu, CA 90265  
(310) 317-5823